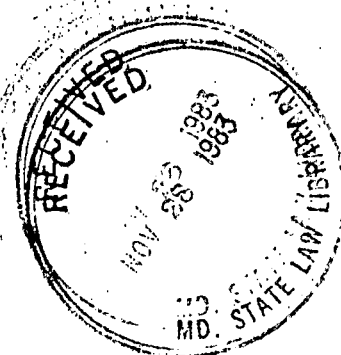


REPORT OF THE  
GOVERNOR'S COMMISSION TO STUDY THE OPERATION OF  
THE SUNDAY BLUE LAWS, *md.*

~~DEPT. OF LEGISLATIVE REFERENCE~~  
~~16 FRANKS ST~~  
~~P O BOX 948~~  
~~ANNAPOLIS, MD. 21404~~



John S. McInerney  
Chairman

*MD Y 3. BL 65.2/M/976*

100

MEMBERS OF THE  
GOVERNOR'S COMMISSION TO STUDY THE OPERATION OF  
THE SUNDAY BLUE LAWS

Honorable John S. McInerney  
Chairman  
101 South Washington Street  
Rockville, Maryland 20850

Mr. Alvin Akman  
2706 Copperfield Court  
Baltimore, Maryland 21209

Mr. Gerson Barnett  
1010 Hawlings Road  
Brookville, Maryland 20729

Reverend Thomas J. Bauernfeind  
Vice Chancellor  
Archdiocese of Baltimore  
320 Cathedral Street  
Baltimore, Maryland 21201

Mr. Elvin L. Benton  
8507 Hood Street  
Takoma Park, Maryland 20012

Mr. Charles F. Boyers  
Route 1, Box 1047  
La Plata, Maryland 20646

Honorable Thomas Broadwater  
3309 Hayes Street  
Glen Arden, Maryland 20801

Honorable Robert L. Dalton  
2538 Cecil Avenue  
Baltimore, Maryland 21218

Honorable Helen L. Koss  
3416 Highview Court  
Wheaton, Maryland 20902

Mrs. Marcia Krasnick  
9177 Springhill Lane  
Greenbelt, Maryland 20770

Mr. Edward J. McNeal  
103 Bellemore Road  
Baltimore, Maryland 21210

Ms. Marilyn R. Minster  
112 East Main Street  
Elkton, Maryland 21921

Honorable John F. X. O'Brien  
6410 Alta Avenue  
Baltimore, Maryland 21206



The Governor's Commission to Study the Operation of the Sunday Blue Laws was created by Joint Resolution No. 48 of 1974 (House Joint Resolution No. 98) which was signed by the Governor on May 31, 1974. The Commission was to report its findings and recommendations to the Legislative Council before December 1, 1974. For a variety of reasons this was not possible.

In order to perform the task assigned to it by Joint Resolution No. 48, the Commission held the following public hearings:

Prince George's and Montgomery Counties - October 14, 1975  
Eastern Shore - October 16, 1975  
Metropolitan Baltimore - October 21, 1975  
Southern Maryland - October 23, 1975  
Western Maryland - October 28, 1975  
The City of Baltimore - November 18, 1975

Eighty-five witnesses testified at these hearings, and the Commission received more than one hundred letters and petitions. The views expressed came from the religious community; labor, including leadership and rank and file membership; business, both large and small; and, to some extent, the general public.



A large majority of the witnesses agreed that uniformity of the Sunday Blue Laws is desirable. Such uniformity will allow a citizen to shop on Sundays without being required to travel great distances in order to do so. In addition, uniformity will prevent any unfair advantage in the wages of employees in different jurisdictions.

The current Blue Laws exist as exceptions rather than firm declarations of legislative intent. The Commission recommends that all Sunday Blue Laws be repealed and stricken from the Criminal Code in order to achieve uniformity.

The Commission further recommends that no person be refused work because he refuses to work on the Sabbath of his choosing. To achieve this objective, the Commissioner of Labor and Industry should be given the authority to handle these grievances, and procedures should be established within that Division for receiving complaints, holding hearings, and enforcing orders of the Division through the courts. The Division should further be authorized to encourage labor leadership to include within their contracts that vital right of citizens to observe the Sabbath of their choice.

The recommendations of the Commission are attached to this report in the form of proposed legislation.

Respectfully submitted,

John S. McInerney

Chairman





BILL ORDER - REPEAL

Requested by \_\_\_\_\_  
Date \_\_\_\_\_

Drafted by \_\_\_\_\_  
Date \_\_\_\_\_

(1b) AN ACT concerning

Sunday Blue Laws

FOR the purpose of repealing all statutory provisions in the Criminal Code prohibiting certain activities on Sunday; prohibiting certain activities by employers concerning the observance by an employee or prospective employee of a Sabbath day or day of rest; providing a procedure for the filing of complaints with the Commissioner of Labor and Industry; providing for hearings and enforcement of orders of the Commissioner; providing the right of appeal; and generally relating to activities on the Sabbath.

(r) BY repealing

Article 27 - Crimes and Punishments

Section 492 through 534V, inclusive

Annotated Code of Maryland

(19 71 Replacement Volume and 197 5 Supplement)

Circle if desired:

(aed)-abnorman effective date

(July 1 assumed unless otherwise noted)

(eed)-emergency effective date

(sev)-severability clause

(ril)-repeal of inconsistent laws

(sii)-salary increase not to affect incumben



BILL ORDER - Supplemental Sheets - ADD

(an) BY adding to

Article 89 - Division of Labor and Industry  
(title or Article name)  
Section 65, to be under the new subtitle "Sabbath Observance"  
Annotated Code of Maryland  
(19 69 Replacement Volume and 197 5 Supplement)

---

(an) BY adding to

Article \_\_\_\_\_ - \_\_\_\_\_  
(title/Article name)  
Section \_\_\_\_\_  
Annotated Code of Maryland  
(19 \_\_\_\_ Replacement Volume and 197 \_\_\_\_ Supplement)

---

(an) BY adding to

Article \_\_\_\_\_ - \_\_\_\_\_  
(title/Article name)  
Section \_\_\_\_\_  
Annotated Code of Maryland  
(19 \_\_\_\_ Replacement Volume and 197 \_\_\_\_ Supplement)

---

(an) BY adding to

Article \_\_\_\_\_ - \_\_\_\_\_  
(title/Article name)  
Section \_\_\_\_\_  
Annotated Code of Maryland  
(19 \_\_\_\_ Replacement Volume and 197 \_\_\_\_ Supplement)

100

6

## SABBATH OBSERVANCE

65.

(A) IT IS THE POLICY OF THE STATE OF MARYLAND THAT A PERSON SHOULD NOT BE DENIED THE OPPORTUNITY TO WORK BECAUSE HE DOES NOT WISH TO WORK ON THE SABBATH OF HIS CHOOSING. AN EMPLOYER MAY NOT DENY EMPLOYMENT TO A PERSON SOLELY ON THE BASIS OF HIS REFUSAL TO WORK ON A PARTICULAR DAY WHICH HE OBSERVES AS HIS SABBATH OR DAY OF REST. AN EMPLOYER MAY NOT DISCHARGE, DISCIPLINE, DISCRIMINATE AGAINST, OR PENALIZE AN EMPLOYEE FOR EXERCISING HIS RIGHT TO OBSERVE A DAY OF REST.

(B) IN ORDER TO IMPLEMENT THE PROVISIONS OF THIS SECTION, THE COMMISSIONER OF LABOR AND INDUSTRY SHALL ESTABLISH A PROCEDURE FOR THE FILING OF COMPLAINTS BASED ON ALLEGED VIOLATIONS OF SUBSECTION (A). THE COMMISSIONER SHALL ESTABLISH A PROCEDURE FOR THE HOLDING OF HEARINGS ON SUCH COMPLAINTS.

(C) THE COMMISSIONER MAY APPLY TO A COURT OF COMPETENT JURISDICTION TO ENFORCE ANY ORDER ISSUED PURSUANT TO THIS SECTION.

(D) A PERSON AGGRIEVED BY A DECISION OR ORDER OF THE COMMISSIONER MAY SEEK JUDICIAL REVIEW IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT AND THE MARYLAND RULES.

(E) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT A PERSON FROM FILING A COMPLAINT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 49B OF THE CODE.

